

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute in lieu therefor do pass, and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, April 23, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 1125, A bill to be entitled "An Act making an appropriation of the sum of One Hundred Fifty Thousand (\$150,000.00) Dollars or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-fifth Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, April 22, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 1021, A bill to be entitled "An Act fixing and limiting expenses of candidates for Representative in the State Legislature in primary elections in counties of more than 300,000 inhabitants, according to the last preceding Federal Census; subject to all other provisions of Chapter 14, Title 50, of the Revised Civil Statutes of 1925; and repealing all laws in conflict with the provisions of this Act, but not otherwise."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.

Committee Room,
Austin, Texas, April 23, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 13 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, April 23, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 53 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, April 23, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 485 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

SIXTY-FIFTH DAY.

(Monday, April 26, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tempore Pace.

The roll was called and the following Senators were present:

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

The following Senator was absent and excused:

Weinert

A quorum was announced present.
The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of Friday, April 23, 1937, was dispensed with, on motion of Senator Aikin.

Reports of Standing Committees.

Reports on House Bills Nos. 1131, 940 and 774 and on S. B. No. 470 were submitted by the chairmen of the several committees to which they were referred. (See appendix for reports in full.)

Leave of Absence Granted.

Senator Weinert was granted leave of absence for today, on account of illness on motion of Senator Holbrook.

Senate Bill on First Reading.

The following (local) bill was introduced, read first time and referred to the Committee on State Affairs:

By Senator Shivers:

S. B. No. 488, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits two counties or portions thereof one of which counties according to the latest Federal Census had a population of not fewer than fifteen thousand one hundred and forty (15,140) and not more than fifteen thousand one hundred and sixty (15,160) inhabitants, whether organized under General or Special Law; repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

Senate Concurrent Resolution No. 58.

Senator Davis offered the following resolution:

Whereas, The Honorable O. L. Parish, Judge of the 119th Judicial District of Texas, is desirous of leaving the State sometime during the year 1937 and 1938, for the purpose of attending to personal business and for taking annual vacation; therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the said Honorable O. L. Parish, Judge of the 119th Judicial District of Texas, the counties composing said district being Coleman, Runnels, Concho and Tom Green, be and he is hereby

granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the years 1937 and 1938, taking into consideration the condition of the docket of said court; provided that such absence from the State of Texas, will not be for more than four weeks during any one year.

The resolution was read.

On motion of Senator Davis and by unanimous consent, the Senate rule requiring concurrent resolutions to be referred to a committee was suspended and the regular order of business was suspended, to permit consideration of the resolution at this time.

The resolution was adopted.

Committee Substitute for Senate Bill No. 138 on Engrossment.

The President laid before the Senate, as the unfinished business, on its passage to engrossment (the bill having been read second time on April 23, 1937):

C. S. for S. B. No. 138, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State government for the two-year period beginning September 1, 1937, and ending August 31, 1939, and for other purposes; and declaring it unlawful for persons employed in the several departments to engage in political campaigns relating to election or re-election of any candidate or candidates for the head of such department and any public office and prescribing procedure for removal of such employees; and making it unlawful to use any State-owned automobile in connection with any campaign relating to any measures in which the particular department by which the employee is employed is directly interested and/or in behalf of the election or reelection of any person as the head of such department; and prescribing certain other regulations and restrictions in respect to the appropriations made herein, and declaring an emergency."

Question—Shall the bill be passed to engrossment?

On motion of Senator Burns and by unanimous consent, the bill was tabled subject to call.

Senate Bill No. 276 on Third Reading.

On motion of Senator Burns and by unanimous consent, the regular order of business was suspended, to take up and have placed on its third reading and final passage:

S. B. No. 276, A bill to be entitled "An Act granting aid to San Jacinto, Polk, Trinity, Houston, and Walker Counties, Texas, made necessary by reason of the fact that the Federal Government has purchased in said counties practically fifty per cent (50%) of the land in said counties, thereby taking off the tax rolls so much valuation that said counties can not operate a county government, and has caused great destruction to the roads and other improvements in said counties, remitting, releasing, granting, and donating to said counties all State ad valorem taxes and occupational taxes levied or to be levied on property in said counties including the rolling stock of railroads for the years 1937-1942, both inclusive; providing that all grants, remissions, and donations shall apply to taxes collected for State General Revenue purposes only; providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency."

The President Pro Tempore then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—17.

Burns	Rawlings
Cotten	Redditt
Davis	Shivers
Head	Small
Hill	Stone
Holbrook	Westerfeld
Moore	Winfield
Neal	Woodruff
Pace	

Nays—7.

Aikin	Roberts
Collie	Sulak
Isbell	Van Zandt
Lemens	

Present—Not Voting.

Brownlee	Oneal
Nelson	

Absent.

Beck
Newton

Spears

Absent—Excused.

Weinert

Senate Resolution No. 75.

Senator Lemens, by unanimous consent, offered the following resolution:

Whereas, The Honorable Will M. Martin, who served with distinction as a Member of the State Senate of Texas throughout the Forty-first and Forty-fourth Legislatures, inclusive, is now in the city and in the Capitol Building; now, therefore, be it

Resolved, That the Honorable Will M. Martin be extended the privileges of the floor and that he be invited to address the Senate at this time.

LEMENS,
BURNS.

The resolution was read, and by unanimous consent, was adopted.

Accordingly, the President Pro Tempore appointed Senators Lemens, Burns and Collie to escort Hon. Will M. Martin to the President's stand.

The President Pro Tempore then presented Hon. Will M. Martin, who addressed the Senate briefly.

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 26, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 102, Commending the First Voters League of Texas for its worthy and necessary service to the cause of good government.

H. C. R. No. 103, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 1007.

S. C. R. No. 57, Authorizing the Enrolling Clerk of the House to make certain corrections in Senate amendments to H. B. No. 452.

S. C. R. No. 47, Granting J. W. Lindley and wife permission to sue the State of Texas and the Highway Department.

The House has concurred in Senate amendments to H. B. No. 452 by a vote of 124 yeas, 0 nays.

The House has concurred in Senate amendments to H. B. No. 91 by a viva voce vote.

The House has granted the request of the Senate for the appointment of a conference committee on S. B. No. 137:

Messrs. Graves, Reed of Dallas, Hanna, Thornton, Davis of Jasper.

The House has passed the following bills:

H. B. No. 126, A bill to be entitled "An Act providing that county courts without the necessity of trial by jury may temporarily commit mentally-ill persons not charged with criminal offense to State mental hospitals, for not exceeding ninety days for observation and/or treatment; providing temporary commitment may also be made to United States Veterans Bureau and other United States Government operated hospitals in those cases where such agency of the United States will accept such mentally-ill persons; providing the adjudication of mental illness, the temporary commitment of persons so afflicted, and their discharge, furlough and release; providing for the payment of their transportation, support and treatment charges protecting property rights; providing that if any portion of the Act is declared unconstitutional and invalid it shall not affect the remaining parts, and declaring an emergency."

H. B. No. 1131, A bill to be entitled "An Act creating the Harris County Flood Control District in Harris County, Texas, and defining its powers; designating the commissioners' court as the governing body of such district and defining the powers of such court in connection therewith; etc., and declaring an emergency."

The House has refused to concur in Senate amendments to H. B. No. 700 and requests the Senate for the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House, with instructions to report back to the House not later than Wednesday, April 28, 1937:

Messrs. Quinn, Roark, Hoskins, Riddle, Jones of Atascosa.

The House refused to concur in Senate amendments to H. B. No. 600

and has requested the appointment of a conference committee to consider the differences between the two Houses. The following are appointed on the part of the House:

Messrs. Lucas, Rhodes, Keefe, Davison of Fisher, Harbin.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bills on First Reading.

The following bills, received from the House today, were laid before the Senate, read first time and referred to the committees indicated:

H. B. No. 1131, to Committee on Counties and County Boundaries.

H. B. No. 126, to Committee on Civil Jurisprudence.

Bills and Resolutions Signed.

The President Pro Tempore signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

S. B. No. 12, "An Act to provide for the taking of written depositions in matters pending before the Motor Transportation Division of the Railroad Commission; providing for the issuance of notice and hearing thereof; the filing of direct and cross interrogatories; designation of attorneys in fact upon whom service may be had; making provisions of this Act cumulative of other articles of the Revised Civil Statutes, 1925, relating to the procedure for taking depositions; defining 'parties at interest'; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 452, "An Act to amend Articles 6111, 6113, 6116 and 6122, Revised Civil Statutes of 1925, so as to provide that a special partner may contribute property as capital to the common stock of partnership limited, and that such special partner shall be liable for the debts of said partnership to the value he places on said property contributed, and also providing that the partnership limited may use in its firm name the word, Company, or any other general term, or the name of a special partner, provided such name is followed by the word, limited, and declaring an emergency."

H. B. No. 91, "An Act amending Article 7005, Title 121, Revised Civil Statutes of the State of Texas, as amended by the Acts of 1931, Forty-

second Legislature, Regular Session, page 852, Chapter 360, Section 1, exempting Wilbarger County and others from the provision requiring the election of a hide and animal inspector, and other provisions of Chapter 7, Title 121, Revised Civil Statutes of 1925, State of Texas, and declaring an emergency."

S. B. No. 261, "An Act amending Section 14, Chapter 277, Acts of the Regular Session, Forty-second Legislature, 1931, as amended by the Forty-third Legislature, 1933, relating to motor carriers."

S. C. R. No. 47, Granting J. W. Lindley and wife, M. E. Pearl Lindley, permission to sue the State of Texas and the State Highway Department.

H. B. No. 571, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas to deed, convey, assign and/or transfer all right, title and interest of whatsoever class, kind or character, directly or indirectly belonging to the State of Texas in and to that tract of land known as the Lampasas State Park, situated in Lampasas County, Texas, said land to be conveyed to the City of Lampasas, Texas, which said tract of land was heretofore donated to the State of Texas for park purposes by the citizenship of Lampasas, Texas, but no improvement made thereon by the State of Texas; and reciting a failure of consideration and declaring an emergency."

H. B. No. 38, "An Act amending Section 3, of Senate Bill No. 247, Chapter 158, page 400, Acts of the Regular Session of the Forty-third Legislature, 1933, as amended by House Bill No. 502, Chapter 121, page 328, Acts of the Regular Session of the Forty-fourth Legislature, empowering the Rehabilitation Division of the State Department of Education to take census, make surveys, and establish permanent records of crippled children; etc., and declaring an emergency."

H. B. No. 169, "An Act making appropriation to pay the Presidential Electors of Texas, providing how it shall be made, and declaring an emergency."

S. C. R. No. 57, authorizing change in enrolled copy of H. B. No. 452.

Committee Substitute for Senate Bill No. 138 on Engrossment.

Senator Redditt called up C. S. for S. B. No. 138 (the departmental appropriation bill) from the President's table, for further consideration at this time; the bill having been tabled subject to call today.

The President Pro Tempore laid the bill before the Senate on its passage to engrossment.

Senator Rawlings offered the following amendment to the bill:

Amend S. B. No. 138, page 63, line 56 of the printed bill by striking out the word "seven" and inserting in lieu thereof the word "ten" and striking out the figures "\$8,820.00" and inserting in lieu thereof "\$12,600.00" and change the total in page 64, line 11, to conform.

(Senator Small in the Chair.)

The amendment was adopted.

Senator Rawlings offered the following amendment to the bill:

Amend S. B. No. 138, page 63, by striking out Item 1, line 47, and substituting in lieu thereof the following:

"1. Commissioners, three at		
\$1000 each	\$3000	\$3000
"1a. Director	\$4000	\$4000"

The amendment was adopted.

Senator Rawlings offered the following amendment to the bill:

Amend S. B. No. 138, page 64, by striking out Item 1, line 45, and substituting in lieu thereof the following:

"1. Commissioners, three at		
\$2500 each	\$7500.00	\$7500.00"

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—18.

Brownlee	Oneal
Burns	Pace
Cotten	Rawlings
Davis	Shivers
Isbell	Small
Lemens	Spears
Moore	Van Zandt
Neal	Winfield
Nelson	Woodruff

Nays—6.

Aikin	Hill
Collie	Holbrook
Head	Roberts

Absent.
Beck Stone
Newton Sulak
Redditt Westerfeld

Absent—Excused.

Weinert

Senator Rawlings offered the following amendment to the bill:

Amend S. B. No. 138, page 66, by striking out Item 1, line 37, and substituting in lieu thereof the following:

"1. Commissioners three at \$1500 each\$4500 \$4500"

Senator Holbrook moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—9.

Aikin Roberts
Head Stone
Hill Sulak
Holbrook Westerfeld
Isbell

Nays—19.

Brownlee Oneal
Burns Pace
Collie Rawlings
Cotten Redditt
Davis Small
Lemens Spears
Moore Van Zandt
Neal Winfield
Nelson Woodruff
Newton

Absent.

Beck Shivers

Absent—Excused.

Weinert

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—19.

Brownlee Nelson
Burns Newton
Collie Oneal
Cotten Pace
Davis Rawlings
Lemens Redditt
Moore Small
Neal Spears

Van Zandt
Winfield

Woodruff

Nays—8.

Aikin Isbell
Head Stone
Hill Sulak
Holbrook Westerfeld

Absent.

Beck Shivers
Roberts

Absent—Excused.

Weinert

Senator Pace offered the following amendment to the bill:

Amend S. B. No. 138, page 65 of the printed bill, by striking out all of lines 36, 37, 38, 39, and 40, and by inserting on page 66 of the printed bill, between lines 33 and 34, the following:

"The appropriations for the Oil and Gas Division above listed together with amounts itemized in the budgets of the Attorney General and Bureau of Labor Statistics, be and are hereby appropriated and shall be paid only out of the receipts derived from any and all special taxes on crude petroleum produced in Texas provided by law for paying the expenses of regulating the oil and gas industry in accordance with present regulation laws, and any amendments, and it is expressly provided that said appropriations are conditioned on there being sufficient special income as above defined to meet the expenditures within said appropriations, and that at any time there is insufficient income for said purposes, the Railroad Commission is hereby directed to bring said expenditures within said special income.

"Any balance from said special income remaining at the end of any fiscal year shall be finally released in the General Revenue Fund. There are also appropriated out of said receipts for each of the years ending August 31, 1938, and August 31, 1939, any additional amounts necessary for performing the duties required by said laws, provided any salaries paid shall not exceed the above itemized scale of salaries for the same or similar services."

PACE,
VAN ZANDT.

Senator Hill raised the point of order: that the amendment affects two distinct portions of the bill and should be severed.

The Presiding Officer overruled the point of order.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—18.

Beck	Oneal
Burns	Pace
Cotten	Rawlings
Davis	Roberts
Isbell	Shivers
Moore	Small
Neal	Spears
Nelson	Van Zandt
Newton	Winfield

Nays—7.

Aikin	Holbrook
Brownlee	Stone
Collie	Westerfeld
Hill	

Present—Not Voting.

Lemens

Absent.

Head

Redditt

Absent—Excused.

Weinert

Paired.

Senator Sulak (present), who would vote nay with Senator Woodruff (absent), who would vote yea.

Senator Rawlings offered the following amendment to the bill:

Amend S. B. No. 138, page 64, after the word "Fund" at the end of line 40, by adding the following:

"The legal examiners provided for herein for the Motor Transportation Division must be experienced attorneys, licensed to practice law in the State of Texas."

Senator Hill raised a point of order on consideration of the amendment, on the ground that it is not within the province of the Legislature to prescribe qualifications of State officers or employees in an appropriation bill.

The Presiding Officer overruled the point of order.

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend S. B. No. 138, page 63, line 24 by adding after the word "performed," the following "provided, however the price so fixed shall not exceed 15 Cents per page."

AIKIN,
ROBERTS.

The amendment was adopted.

Senator Hill offered the following amendment to the bill:

Amend S. B. No. 138 so that all salaries of \$2,000.00 or less per annum be raised 33 1/3% and the figures corrected accordingly.

HILL,
BROWNLEE.

Senator Van Zandt raised a point of order on consideration of the amendment, on the ground that it is not directed to any particular portion or section of the bill and is intended to effect a series of changes that should be made by the adoption of a number of separate amendments.

The Presiding Officer sustained the point of order.

Senator Spears offered the following amendment to the bill:

Amend S. B. No. 138, page 51, by striking out the words and figure "thirty-five thousand dollars," on lines 34 and 35, wherever they appear, and substitute in lieu thereof the words and figure "one hundred thousand dollars."

SPEARS,
DAVIS.

Question—Shall the amendment be adopted?

Conference Committee on House Bill No. 600.

Senator Van Zandt moved that the request of the House for a free conference committee to adjust the differences between the two Houses on H. B. No. 600 be granted.

The motion prevailed.

Accordingly, the Presiding Officer announced the appointment of the following free conference committee on the part of the Senate:

Senators Aikin, Moore, Redditt, Head and Cotten.

Senate Concurrent Resolution No. 59.

Senator Pace, by unanimous consent, at this time, offered the following resolution:

S. C. R. No. 59, Authorizing J. A. Thedford to sue the State.

The resolution was read.

On motion of Senator Pace and by unanimous consent, the Senate rule requiring concurrent resolutions to be referred to a committee was suspended, and the regular order of business was suspended, to permit consideration of the resolution at this time.

The resolution was adopted.

House Concurrent Resolution No. 102 Referred.

H. C. R. No. 102, received from the House today, was laid before the Senate, read, and referred to the Committee on State Affairs.

House Concurrent Resolution No. 103.

The Presiding Officer laid before the Senate the following resolution, received from the House today:

H. C. R. No. 103, Authorizing correction in enrolled copy of H. B. No. 1007.

The resolution was read.

On motion of Senator Redditt and by unanimous consent, the Senate rule requiring concurrent resolutions to be referred to a committee was suspended, and the regular order of business was suspended, to permit consideration of the resolution at this time.

The resolution was adopted.

House Bill No. 584 on Second Reading.

On motion of Senator Hill and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 584, A bill to be entitled "An Act authorizing the commissioners' court in any county having a population of less than 35,000 inhabitants according to the last preceding Federal Census and having an assessed property valuation exceeding \$70,000,000.00 according to the approved tax rolls for the preceding year to allow each county commissioner the sum of fifty (\$50.00) dollars per month for traveling expenses, providing for the source of payment of such expenses and providing for filing of itemized accounts, and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to third reading.

House Bill No. 584 on Third Reading.

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 584 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent—Excused.

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27.

Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Cotten	Redditt
Davis	Roberts
Head	Shivers
Hill	Small
Holbrook	Spears
Isbell	Stone
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Nays—3.

Aikin	Sulak
Collie	

Absent—Excused.

Weinert

Recess.

On motion of Senator Robers, the Senate, at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

Afternoon Session.

The Senate met at 2:00 o'clock p. m., and was called to order by Senator Small.

Report of Conference Committee on House Bill No. 600.

Senator Aiken submitted the following report of the Conference Committee on H. B. No. 600:

Committee Room,

Austin, Texas, April 26, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House on House Bill No. 600, have had the same under consideration, and beg leave to report it back to the Senate and House with the recommendation that said House Bill No. 600 be adopted in the form hereto attached.

Respectfully submitted,

AIKIN,
REDDITT,
COTTEN,
HEAD.

On the part of the Senate.

LUCAS,
KEEFE,
RHODES,
HARBIN,
DAVISON of Fisher.

On the part of the House.

By Lucas, et al. H. B. No. 600.

A BILL**To Be Entitled**

An Act appropriating the sum of One Million and Eighty Thousand Dollars (\$1,080,000) as a supplement to the funds appropriated under the provisions of House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature; providing no school shall benefit hereunder that has paid its public funds to any person for securing legislative aid; providing that funds herein appropriated shall be

expended under the terms of said Act; providing for a Joint Committee of the Forty-fifth Legislature to approve grants of aid under this Act and under House Bill No. 327 of the Regular Session of the Forty-fourth Legislature; granting said Committee certain powers; making an appropriation from the Contingent Expense Fund of the Forty-fifth Legislature to pay the expenses of said Committee; providing that said funds shall be prorated between the schools eligible to receive aid; providing that all applications for transportation aid, salary aid, and industrial aid shall have been on file and approved prior to the passage of the Act, and that all applications for tuition aid shall be on file by June 10, 1937; providing all moneys allocated under this Act shall be used for purposes specified under the provisions of said House Bill No. 327 and for no other purpose; providing a penalty for violating the provisions of the Act; allocating One Hundred and Fifty Thousand Dollars (\$150,000) or so much thereof as may be necessary to supplement the payment of tuition aid for certain schools under the fiscal year 1935-1936; setting aside the sum of Ten Thousand Dollars (\$10,000) to the Division of Census for checking and making transfers and census; allocating Three Thousand Dollars (\$3,000) to be used by the State Auditor in investigating expenditure of funds appropriated by said House Bill No. 327 and this Act and for making a public report thereof, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby appropriated out of any funds now in the State Treasury not otherwise appropriated the sum of One Million and Eighty Thousand Dollars (\$1,080,000) as a supplemental appropriation to the funds appropriated by House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, provided that no funds herein appropriated shall be granted to a school district which has paid out of its public funds any money or moneys to any person or association for the purpose of securing legislative aid.

Sec. 2. The funds herein appro-

priated are to be expended under the direction of the State Board of Education, and the State Superintendent of Public Instruction, under the terms of the afore-mentioned House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, and as provided in this Act.

Sec. 2-a. Provided, however, that before any grants of aid are allowed under the provisions of this Act or under the provisions of House Bill No. 327, Chapter 350, Acts of the Forty-fourth Legislature, such grants of aid shall be submitted to and be finally approved by a majority of a Joint Committee of the Forty-fifth Legislature to be chosen and empowered as follows:

(1) The Speaker of the House of Representatives and the President of the Senate shall each appoint three (3) members to said Joint Committee. Said Joint Committee shall be appointed and proceed to organization within three (3) days after the passage of this Act. The Joint Committee afore-mentioned shall select a chairman and a vice-chairman and shall be empowered to make such rules and regulations as will insure the efficient and fair distribution of these funds.

(2) The Joint Committee is hereby empowered to increase or decrease any amount, and to deny in whole or in part any grant of funds recommended by the State Superintendent or the State Board of Education.

(3) The Joint Committee is further empowered to examine any and all records of the State Department of Education and the State Board of Education, to administer oaths, to subpoena witnesses and records, and to investigate the administration of funds heretofore distributed by the State Superintendent and the State Board of Education, and to make such recommendations regarding education in Texas as they may see fit to propose.

(4) There is hereby appropriated the sum of Fifteen Hundred Dollars (\$1500) out of the Contingent Expense Fund of the Forty-fifth Legislature to pay the expenses of the Joint Committee.

Sec. 3. The funds herein appropriated, together with those appropriated by the afore-mentioned House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, are to be prorated between the

schools which are eligible to receive aid under the provisions of said House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, which have been approved for certain amounts by the State Department of Education heretofore, so that each school is to receive the same proportionate share of the allotment heretofore approved for it, and the amount prorated to each school is hereby designated to be the full and complete payment of any claims made by any school for aid under said House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature.

Sec. 4. All applications for transportation aid, salary aid, and industrial aid, in order to be eligible to participate in the provisions of this Act, shall have been declared eligible for aid by the State Board of Education under the provisions of House Bill No. 327, being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, and shall have been on file and approved by the State Board of Education prior to the passage of this Act, and all applications for tuition aid shall be filed with the State Department of Education not later than June 10, 1937, in order to be eligible to participate in tuition aid. All funds or moneys granted or allocated under the provisions of this Act, shall be used for the purposes specified under the provisions of House Bill No. 327, Chapter 350, Acts of the Regular Session of the Forty-fourth Legislature, or under the provisions of this Act, and in no case shall the funds or moneys be used for any other purposes.

Any person or persons, firms, corporations, or partnerships who shall misappropriate or use any of the funds or moneys granted or allocated under the provisions of this Act for any other purposes except those specified in House Bill No. 327, Chapter 350, Acts of the Regular Session of the Forty-fourth Legislature, or under the provisions of this Act, shall be deemed guilty of misappropriation of public funds and upon conviction shall be fined not less than Two Hundred Dollars (\$200) nor more than One Thousand Dollars (\$1,000) or confined in the county jail not less than six (6) months nor

more than one year or both such fine and imprisonment.

Sec. 5. There is also allocated hereby, out of the funds appropriated by this Act and by said House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, the sum of One Hundred and Fifty Thousand (\$150,000) or so much thereof as may be necessary to be used exclusively for increasing the allotment of high school tuition to those schools which received Rural Aid during the fiscal year of September 1, 1935, to September 1, 1936, and which received less than eighty-seven (87) per cent of the amount originally allotted to them by the State Department of Education. This money is to be prorated between the schools eligible to receive same in such a manner so that each school sharing hereunder shall receive the same percentage of its original allotment as all other schools sharing hereunder.

Sec. 5-a. Out of the funds above appropriated there is set aside, for the purpose of more accurately checking and making transfers and census and paying costs of labor, material, supplies, and travel incident thereto, the sum of Ten Thousand Dollars (\$10,000) to the Division of Census, State Department of Education, to be expended as are other funds for administration expenses of the Equalization Law.

Sec. 5-b. There is also allocated hereby, out of the funds appropriated by this Act and by the said House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, the sum of Three Thousand Dollars (\$3,000) or so much thereof as may be necessary, to be used exclusively by the State Auditor in making, and causing to be made, immediately, a full and thorough investigation and audit of the expenditures made of the funds appropriated by the said House Bill No. 327 and by this Act, and to make a public report thereof.

Sec. 6. The fact that there are insufficient funds to pay the amounts of Rural Aid said to be needed by the schools of Texas in order for them to operate their full term this year creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills

to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Senator Aikin moved that the report be adopted.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent—Excused.

Weinert

Committee Substitute for Senate Bill No. 138 on Engrossment.

The Senate resumed consideration of pending business, same being C. S. for S. B. No. 138 (the departmental appropriation bill) on its passage to engrossment; with amendment by Senators Spears and Davis pending.

Senator Collie offered the following amendment to the amendment:

Amend the pending amendment by striking out the words and figure "(\$100,000.00) One Hundred Thousand Dollars," and substitute in lieu thereof the words and figure "Seventy-five Thousand (\$75,000.00) Dollars."

Senator Spears moved to table the amendment to the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—14.

Brownlee	Oneal
Burns	Pace
Davis	Rawlings
Head	Shivers
Neal	Spears
Nelson	Winfield
Newton	Woodruff

Nays—16.

Aikin	Moore
Beck	Redditt
Collie	Roberts
Cotten	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld

Absent—Excused.

Weinert

The amendment to the amendment was adopted.

The amendment as amended was adopted by the following vote:

Yeas—20.

Brownlee	Newton
Burns	Oneal
Collie	Pace
Cotten	Rawlings
Davis	Shivers
Head	Small
Holbrook	Spears
Lemens	Van Zandt
Neal	Winfield
Nelson	Woodruff

Nays—10.

Aikin	Redditt
Beck	Roberts
Hill	Stone
Isbell	Sulak
Moore	Westerfeld

Absent—Excused.

Weinert

Senator Van Zandt offered the following amendment to the bill:

Amend S. B. No. 138, page 6, by inserting a new line after line 53, to be known as item "1a," to read as follows:

"1a. First Assistant Attorney General \$6000.00 per year \$6000.00 \$6000.00"

Senator Aikin offered the following substitute for the amendment:

Amend S. B. No. 138, page —, by striking out line 2 and insert in lieu thereof the following:

"Assistant Attorney Generals, none to exceed \$3,600.00, except the First Assistant, who may be paid \$4,000.00 per year \$66,200.00 \$66,200.00"

AIKIN,
ROBERTS.

Senator Oneal offered the following amendment to the substitute:

Amend Aikin substitute by striking out "\$4,000.00," and inserting in lieu thereof "\$5,000.00."

Yeas and nays were demanded, and the amendment to the substitute was adopted by the following vote:

Yeas—17.

Brownlee	Rawlings
Burns	Redditt
Cotten	Shivers
Head	Small
Holbrook	Spears
Nelson	Van Zandt
Newton	Westerfeld
Oneal	Woodruff
Pace	

Nays—10.

Aikin	Lemens
Beck	Moore
Collie	Neal
Hill	Roberts
Isbell	Sulak

Absent.

Davis	Winfield
Stone	

Absent—Excused.

Weinert

Senator Van Zandt moved to table the substitute as amended.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—13.

Brownlee	Rawlings
Burns	Redditt
Collie	Shivers
Cotten	Spears
Head	Van Zandt
Holbrook	Woodruff
Moore	

Nays—15.

Aikin	Pace
Beck	Roberts
Davis	Small
Hill	Stone
Isbell	Sulak
Lemens	Westerfeld
Neal	Winfield
Oneal	

Absent.

Nelson	Newton
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Absent—Excused.

Weinert

Question recurring on the substitute as amended, yeas and nays were demanded.

The substitute, as amended, was adopted by the following vote:

Yeas—18.

Aikin	Rawlings
Beck	Roberts
Brownlee	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Lemens	Westerfeld
Newton	Winfield
Oneal	Woodruff

Nays—8.

Burns	Moore
Collie	Redditt
Cotten	Shivers
Holbrook	Van Zandt

Absent.

Head	Nelson
Neal	Pace

Absent—Excused.

Weinert

The amendment, as substituted, then was adopted.

Senator Woodruff offered the following amendment to the bill, as amended:

Amend the bill, as amended, by the Aikin substitute amendment, by adding at the end of the last paragraph the following:

"Provided, however, that no salary herein appropriated for Assistant Attorneys General shall be paid to any person not a lawyer, or who has had less than 4 years in actual practice of law as a regularly licensed attorney."

The amendment was adopted.

Senator Burns offered the following amendment to the bill:

Amend S. B. No. 138 by adding a new section to be numbered —:

"There is hereby appropriated the sum of \$3,600.00 per year for Senator Annie E. Cooke."

(Signed) Pace, Holbrook, Burns, Brownlee, Cotten, Winfield, Spears, Davis, Hill, Small, Sulak.

The amendment was adopted.

Senator Cotten offered the following amendment to the bill:

Amend S. B. No. 138, page 13, line 59, by adding the following:

"\$10,000.00 or so much thereof as may be necessary to employ construction engineers and other technical experts to make a thorough inspection of the Capitol and make a written report to the Board of Control of the condition of same, and recommendations for its repair."

Senator Spears offered the following substitute for the amendment:

Amend the bill by adding a new Section to read as follows: Said Section being No.

"There is hereby appropriated the sum of \$750,000.00 for the purpose of repairing and renovating the State Capitol Building at Austin, Texas, said work to be done according to plans and specifications under the direction and control of the Board of Control."

Senator Cotten moved to table the substitute.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—13.

Aikin	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Lemens	Van Zandt
Neal	

Nays—15.

Brownlee	Rawlings
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Westerfeld
Moore	Winfield
Newton	Woodruff
Oneal	

Absent.

Beck	Nelson
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Absent—Excused.

Weinert

Senator Moore moved the previous question on the substitute and the amendment, and the motion was duly seconded.

The Senate refused to order the main question at this time by the following vote:

Yeas—11.

Burns	Pace
Cotten	Redditt
Holbrook	Small
Moore	Van Zandt
Neal	Woodruff
Newton	

Nays—16.

Aikin	Oneal
Brownlee	Roberts
Collie	Shivers
Davis	Spears
Head	Stone
Isbell	Sulak
Lemens	Westerfeld
Nelson	Winfield

Present—Not Voting.

Hill Rawlings

Absent.

Beck

Absent—Excused.

Weinert

Senator Woodruff moved the previous question on the substitute, the amendment and the passage of the bill to engrossment, and the motion was not seconded.

Question recurring on the substitute yeas and nays were demanded.

The substitute was lost by the following vote:

Yeas—12.

Brownlee	Rawlings
Hill	Spears
Holbrook	Stone
Moore	Sulak
Newton	Westerfeld
Oneal	Winfield

Nays—16.

Aikin	Neal
Burns	Pace
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Isbell	Van Zandt
Lemens	Woodruff

Absent.

Beck Nelson

Absent—Excused.

Weinert

Question next recurring on the amendment, it was lost.

Senator Sulak offered the following amendment to the bill:

Amend S. B. No. 138 by striking out in line 7, page 70, the figures \$1,575.00 and \$3,150.00 and insert in lieu thereof the figures \$1,800.00 and \$3,600.00.

Question—Shall the amendment be adopted?

House Bill No. 1131 on Second Reading.

Senator Moore by unanimous consent moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1131 be placed on its second reading and passage to third reading.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent—Excused.

Weinert

The Presiding Officer then laid before the Senate, on its second reading and passage to third reading:

H. B. No. 1131, A bill to be entitled "An Act creating the Harris County Flood Control District, etc., and declaring an emergency."

On motion of Senator Moore and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 1131 by adding thereto two new Sections numbered and reading as follows:

Sec. 12a. Tax Collector's Reports:

If at any time after the enactment of this law, the Legislature of the State of Texas shall make any donation or grant of taxes by general or special act to or affecting Harris County, Texas, or the flood control district herein created, at the end of each month after the effective date of such act, the Assessor and Collector of Taxes of Harris County shall make an itemized report under oath to the Comptroller of Public Accounts of the State of Texas on forms to be furnished by the Comptroller showing each and every item of the State taxes collected by him upon property and from persons within the District; and he shall accompany the same with an itemized statement listing all taxes received and showing full disposal of all such taxes collected. The said Assessor and Collector of Taxes shall forward his report to the Comptroller, and shall make a like report to the County Auditor, and he shall pay over to the County Treasurer all moneys collected by him as State taxes so donated or granted under Legislative authority, less such amounts as are allowed by law for assessing and collecting same, and shall remit the balance to the proper authority as required by then existing laws.

The Commissioners' Court, in its discretion, may utilize the tax funds donated and granted by the State of Texas for the construction of flood control improvements and other improvements and purposes authorized by such enactments and the maintenance or operation thereof; or may deposit the same in a sinking fund to pay interest on and to redeem bonds of said District or other obligations issued for such purposes, in the manner hereinafter provided.

Sec. 12b. Issuance of Bonds: The County of Harris, Texas, acting by and through its Commissioners' Court, shall have authority and it is hereby authorized to issue its negotiable bonds secured by a pledge of any taxes hereafter donated and granted by the State of Texas to it by the terms of any general or special tax donation and grant act, and the proceeds of the sale of such

bonds may be used for purchasing lands, easements, right of ways, structures, and for the construction of improvements, including dams, reservoirs, and all other works suitable for use in connection with the flood control program and projects in said County and the maintenance and operation thereof, and doing all things necessary to the execution of the purposes for which the grant and donation is made; provided, however, that the aggregate amount of bonds to be issued shall not exceed such sum as the donation and grant of the State taxes will service so as to pay interest and to create a sinking fund sufficient to pay said bonds at maturity.

In the event the Commissioners' Court of Harris County, Texas, shall determine by majority vote on a Resolution entered of record, giving the reasons therefor and showing that a necessity exists for utilizing any tax funds hereafter donated and granted by the State of Texas for the issuance of bonds in order to facilitate the construction of improvements and make funds immediately available, said bonds may be issued in the form and manner hereinafter prescribed. The bonds so authorized and issued in accordance with the provisions of this Act need not be issued at one time. The amount of money necessary to provide a sinking fund to mature said bonds and to pay the interest thereon shall be set aside annually from the first of such hereafter donated and granted funds received from the Assessor and Collector of Taxes and said funds may not be diverted to any other purpose. Officers of the County and the Depository are forbidden to authorize the payment of any amount from said State taxes hereafter so donated and granted until there has first been set aside therefrom an amount sufficient to cover all servicing charges for the bonds for the year. Thereupon and after the Auditor has filed a certificate showing the deposit to the interest and sinking fund of a sufficient amount to cover such servicing charges for the year, taxes hereafter donated and granted to Harris County by the State of Texas collected during the remainder of the year may be utilized for purposes consistent with this Act. Should the

necessity arise, the Commissioners' Court may supplement from its general funds any State taxes hereafter donated and granted, but no tax shall ever be levied or any debt be created against the County for such purpose without a vote of the people. And amend the caption to conform.

The amendment was adopted.

The bill then was passed to third reading.

House Bill No. 1131 on Third Reading.

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1131 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent—Excused.

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29.

Aikin	Neal
Beck	Nelson
Brownlee	Newton
Burns	Oneal
Collie	Pace
Davis	Rawlings
Head	Redditt
Hill	Roberts
Holbrook	Shivers
Isbell	Small
Lemens	Spears
Moore	Stone

Sulak	Winfield
Van Zandt	Woodruff
Westerfeld	

Nays—1.

Cotten

Absent—Excused.

Weinert

Advance Printing of House Joint Resolution No. 10.

On motion of Senator Oneal, and by unanimous consent, it was ordered that H. J. R. No. 10 be printed in advance of its consideration in committee.

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 26, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 104, Extending an invitation to His Excellency, the Honorable Franklin Delano Roosevelt, President of the United States, to address a Joint Session of the House of Representatives and the State Senate during his visit to Texas.

S. C. R. No. 58, Granting O. L. Parish, Judge of the 119th Judicial District, permission to be absent from the State of Texas at various times.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Resolution Signed.

The Presiding Officer signed in the presence of the Senate, after giving due notice thereof, the following enrolled resolution:

S. C. R. No. 58, Granting Judge O. L. Parish leave of absence from the State.

Senate Bill No. 470 on Second Reading.

On motion of Senator Nelson, and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment:

S. B. No. 470, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not fewer than thirteen thousand seven hundred (13,700), and not more than thirteen thousand eight hundred (13,800) inhabitants, whether organized under General or Special Law; repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

The Presiding Officer laid the bill before the Senate.

On motion of Senator Nelson, and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration of the bill at this time. The bill was read second time and was passed to engrossment.

Senate Bill No. 470 on Third Reading.

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent—Excused.

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29.

Aikin	Newton
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff
Nelson	

Nays—1.

Oneal

Absent—Excused.

Weinert

Senate Bills on First Reading.

(By Unanimous Consent.)

The following (local) bill was introduced, read first time, and referred to the Committee on Educational Affairs:

By Senator Head:

S. B. No. 489, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not less than 4,750 and not more than 4,850, whether organized under general or special law, repealing all laws in conflict herewith, both general and special, and declaring an emergency."

Senator Spears moved that the rule limiting the time for introduction of certain bills to the first 45 days of the session be suspended, to permit the introduction at this time of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Davis	Rawlings
Head	Redditt
Hill	Roberts
Holbrook	Shivers
Isbell	Small
Lemens	Spears
Moore	Stone
Neal	Sulak
Nelson	Van Zandt
Newton	Westerfeld
Oneal	Winfield
Pace	Woodruff

Absent—Excused.

Weinert

The following bill was then introduced, read first time, and referred to the Committee on Counties and County Boundaries:

By Senator Spears:

S. B. No. 490, A bill to be entitled "An Act appropriating any and all unexpended balances remaining of that certain appropriation made by the Forty-fourth Legislature, Regular Session, 1935, Section Seven (7) of Chapter 131, being Senate Bill No. 467, as shown by the Acts of said session, page 359, et seq., for the location, establishment, erection, equipment and completion of a tuberculosis sanatorium for Negroes to be known as the State Tuberculosis Sanatorium for Negroes; providing the rules and regulations governing the expenditure thereof; and declaring an emergency."

Senator Westerfeld moved that the rule limiting the time for introduction of certain bills to the first 45 days of the session be suspended, to permit the introduction at this time of a general bill.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent—Excused.

Weinert

The following bill then was introduced, read first time and referred to the Committee on State Affairs:

By Senator Westerfeld:

S. B. No. 491, A bill to be entitled "An Act limiting the amount of money to be assessed against candidates for Congress in districts composed of one county, and declaring an emergency."

House Concurrent Resolution No. 104.

The President laid before the Senate the following resolution, received from the House today:

H. C. R. No. 104, Inviting President Roosevelt to address a joint session of the Legislature.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the Senate rule requiring concurrent resolutions to be referred to a committee was suspended, and the regular order of business was suspended, to permit consideration of the resolution at this time.

The resolution was adopted.

Report of Standing Committee.

Senator Cotten, by unanimous consent, at this time, submitted the report of the Committee on Educational Affairs on S. B. No. 489. (See Appendix for report in full.)

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 26, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Conference Committee Report on House Bill No. 600 by a vote of 135 yeas, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Adjournment.

Senator Rawlings moved that the Senate adjourn until 10:00 o'clock a. m., tomorrow.

Senator Hill moved that the Senate recess to 7:30 o'clock p. m., today.

The motion to adjourn prevailed; and the Senate, accordingly, at 5:05 o'clock p. m., adjourned until 10:00 a. m. tomorrow.

APPENDIX.

Address of Senator T. J. Holbrook of Galveston, Texas, at the Stephen F. Austin State Teachers College, on the one hundred first anniversary of the battle of San Jacinto:

Mr. President, Members of the Faculty and Students of the College, Ladies and Gentlemen: It is a glorious feeling to visit East Texas at this season of the year, and catch something of the beauty of your flowers and your forests, and to hear at eventide the lilting notes of your song birds as they bear their messages of music and love from tree to tree. This is peculiarly true, as applied to the old town of Nacogdoches, and its surrounding territory.

In addition to being set amidst nature's best, no student of Texas history could properly depict the State's early life and leave Nacogdoches out of it. Before the guns at San Jacinto had sounded, and the young Republic was born, this community was the home of heroes who bequeathed these rich heritages to us. Here it was that Houston lived, before he was marked as a man of destiny; and here it was that General Sidney Sherman, with Sylvester and others, encamped on their way from Cincinnati to San Jacinto. Here the Spanish Conquistadores built their missions beyond the outposts of civilization, and set the bounds for dominion of their kingdom beyond the seas.

Everything prior to April 21, 1836, which happened in Texas, points forward to that date; everything since, marks it as the beginning. Unlike the legions at Actium and Salamis, the citizen-soldiers of Texas on that day sealed with their blood a truce with war and a bond with freedom, which should bind us like hoops of steel to the ideals of our forefathers, from generation to generation.

Because of these things we are met at this hour in commemoration of an event which history has designated

as the culminating epoch which gave birth to a new republic on the continent of North America. At the Alamo, at Goliad, and finally at San Jacinto, the hands that bore the flag of freedom never faltered; and though murdered and burned at the Alamo and Goliad, they rose triumphant on the field at San Jacinto.

One hundred and one years have passed since General Houston and his men impressed upon their efforts the seal of immortality; and in commemoration of that glorious achievement this day has called us from our ordinary pursuits of labor, that we may suitably call attention to their deeds, and steep ourselves in the recollection of their valor. Such an anniversary as this which we this day celebrate, stands as a militant monument on the highway of history; and whether observed in simplicity or splendor, it should inspire the people of this mighty commonwealth to higher and nobler paths of duty. As a traveler notes the figures on the mileposts, and from them learns the distance covered in his journey, we pause on this occasion to review the past and from it take lessons for the future.

It is one of the charms of this Republic that in addition to the common history, traditions, and institutions of the whole people, each state has its separate history, separate traditions, and separate institutions, which are the peculiar pride of its own citizens—and this is especially true of Texas. She has the unique distinction of having lived under more sovereignties than any other State in the Union. She has in the course of her career paid allegiance to the Bourbons and the Bonapartes, the Hapsburgs and the Montezumas. Many times a Kingdom, twice an Empire, and six times a Republic, she is now the king of empires within the greatest Republic in all the world. She is the only commonwealth in the nation that can boast of having enjoyed at one time or another the sovereign powers of a State as well as those of an independent Republic. This is the anniversary of the day when her independence was secured, and which finally made possible the acquisition of one-third of the present limits of our common country.

Old, when viewed from the standpoint of discovery, she is yet young

in her real career, and has just commenced her course of economic and political progress. Race and kinship and a desire for security against subjugation drove the people of Texas into the American Union; and there is no citizen among us today who seriously regrets that step; for it has given us rightful participation in privileges and immunities which we otherwise could not have enjoyed. While we rejoice in these national blessings, we can but remember with pride that the traditions and ideals which have inspired and elevated our people are peculiarly our own; and that the institutions to which we are chiefly indebted for our present greatness and future promise are due to the Constitution and laws devised and written by the fathers of a vanished republic.

Our great institutions of learning, such as this which you young ladies and gentlemen enjoy here today, which have arisen with such magic suddenness, in standards, in prestige, in influence, and in numbers are not mere creatures of blind chance; they are offsprings of consummate wisdom, deliberate purpose, and munificent provision. All of them lived first in the prophetic vision of the founders of the Republic of Texas.

The high sentiment which prompted you to foregather at this meeting is both patriotic and commendable. It gives you an opportunity to consecrate this glorious anniversary as the chief milepost in our history, and to pay tribute to the memory of those who wrought mightily in the wilderness of a century gone and who laid the foundation on which you and those who are to come after you are to build more securely for the future. Their sacrifices were as severe and unselfish as your opportunities are great and exciting.

Opportunity without gratitude is anomalous, and the tender feelings of gratitude which bring you into harmony with this consecrated recess of praise to your benefactors exemplifies their wisdom and establishes your gratitude to their memory.

It is claimed by some that anniversaries such as this are kept and observed with most fervor in extreme youth, and with most form and ceremony in extreme old age. I

would like to believe this is not true, and that the further we are removed in time from the event which we are this day remembering, the more sincere and tender may be the feelings of our affections which the observance shall awaken. In 1835-36, despotism ran riot in the Republic of Mexico, of which Texas was then a part. In this history but repeated itself. Santa Anna, peerless in the savage asperities of autocratic rule, formed the wicked purpose of throttling the spirit of liberty in the proud Empire-Republic over which he had established himself as dictator. Elevated to power by championing the cause of popular government, this ruthless tyrant began at once to violate the provisions of his own constitution, and substitute a despotic will for laws enacted by representatives of the people, and later enriched by decrees of the courts.

Written grants and warrants solemnly awarded by his imperial government, and accepted and acted upon in good faith by the pioneers who came with Austin to establish homes for themselves and their children in what was then a veritable wilderness, not only failed to bind the conscience of Santa Anna, but were craftily used by him to forward his designs against the liberties of the people they were intended to protect.

Intoxicated with dreams of martial glory and fancied splendors of an empire that would challenge the annals of ancient or modern history for a parallel, this pitiless giant of absolutism stood like a gladiator with his heels upon the helpless, prostrate form of democracy; and whose strong arm was wholly responsible for his exaltation, and whose base treachery evoked the obsequious cheers and acclaims of his associates—the organized aristocracy of Mexico.

For a long time beguiled by specious promises and studied dissimulations, the Texas Colonies in 1835 seemed for the first time to realize their desperate political situation. They themselves were honest and made the serious mistake of accrediting their ruler with the same high motives. They belonged to the great Anglo-Saxon race which for more than three hundred years had cham-

pioned the cause of constitutional liberty, and were incapable of understanding at first how even a tyrant could disregard an ordinance so sacred and so necessary to the happiness and welfare of mankind.

Again they were convinced of the terrors of war. They were the sons and grandsons of Revolutionary patriots and soldiers, and were reluctant to exchange the comforts and blessings of peace for the ordeals and dangers of war. Patience and forbearance are racial qualities with the Anglo-Saxon, and the pioneers of Texas in this, as in many other respects, were true to their type.

Home and family meant too much to them to be lightly traded for any kind of venture, and it was not until they were convinced that their homes, their families, their happiness and their liberties were imperiled, that their patience and forbearance reached its limit. The Declaration of Independence by the people of Texas on March 2nd, 1936, was neither rash nor inconsiderate, but thoroughly and fully justified. It came in the fullness of time, after entreaties had been denied, petitions disregarded, promises violated, and messengers imprisoned.

When all hope of honorable peace was gone and the anguish of suspense was over, these brave men truthfully stated their grievances, declared themselves to be free and independent of the government under which they had lived, and at last appealed their case to the arbitrament of war.

The day on which the step was taken was momentous to them, and to us. They desired peace, but war was thrust upon them; and when the issue was made, they met it with courage and with force.

We have gathered here at this hour to pay tribute to their valor, to revive the memory of their imperishable deeds, to linger a while upon the battle-fields they consecrated with their blood, to rejoice in the victories they won, and to regale ourselves with recollections of their great achievements. We have come to consecrate their memory with our tears, and to feast ourselves upon the unselfish love which prompted them to the glorious deeds they wrought. We have come to recall how the immortal four hundred under Travis

and Crockett and Bonham and Bowie could die for liberty in the Alamo; to weep again over the massacre of Fannin and his men at Goliad and to rejoice in the final victory that was won at San Jacinto.

These heroes of an early day in Texas—these men who in the wilds and fastnesses of a wilderness made the first track of civilization within the borders of this great commonwealth—deliberately met, and resolutely solved, the problems that blocked their pathway. In their ruggedness and simplicity and in their unswerving devotion to duty and right, we find a lesson that we may well carry into our lives and conduct to the end that we, too, may unselfishly respond to the divine purpose of life, and correctly solve its mighty problems. We should remember that as a race we rise upon our "dead selves to higher things." Each generation in its turn places its beads of truth or error—bright or dull, whole or broken, solid or hollow—upon the string of purpose which holds this universe together. There may indeed be a few broken beads—some may be shapeless and out of harmony with those they touch on either side—but the thread on which they are strung is always the same, is always straight, and runs its even length throughout the years. If one generation should fail by carelessness or mistake to do well the work which has been committed to its care, there will be want of harmony with the generation that precedes and the one that follows them. It is for that reason important that we should discharge the duties and responsibilities of our day that we may not break the harmony in the great scheme of human progress.

On this day, one hundred and one years ago, General Houston and his comrades in arms made covenant with death for the beginning of a new republic; and they, by their intrepid valor, and by suffering and death, established that covenant before the Nations of all the world. They could not finish the work they had thus begun within the span of their lifetime; for states have decades for their cradles and centuries for their maturity.

The problem of the pioneers of Texas was to lay the foundation of the State; ours is to erect a fine temple upon it as a superstructure.

Theirs was the problem of war with its perils and sufferings upon the battlefields, while Mars frowned down upon them his terrors; ours are the problems of peace, to be solved in the schools, the homes, the shops, the fields, the studios and offices of civic life, by assiduous, industrious toil, surround with the tranquillity and charm of a peaceful people, with the smiles of the Pleiades resting upon our efforts.

Magna Charta was forced from the unwilling hand of a king, in order that representative government with religious liberty might be established as a first principle among Anglo-Saxon people. But the enemies of law and order still live, and insidious agencies are secretly assailing the stability of our institutions. Anarchy is still on the earth and broods over the chaos of political confusion while hatching out an abundant progeny of treason and criminal pestilence.

The simple customs and habits of the fathers appear gradually to be giving way to the seductive influence of wealth and luxury. Frivolous idleness, fostered by riches in the hands of misguided parents, is robbing our young men of their strength and our young women of their modesty. True character with the ruggedness and power so apparent in our pioneer life is fast surrendering to the refinements and forms of pleasure. The tinsel and glare and pomp and splendor of the day are making inroads into the social strongholds of our domestic life, and as a Nation we are being swept from the moorings of our original simplicity.

Political graft has in some instances fastened itself like a festering sore upon divisions of our government, and the funds of the people are being wrongfully diverted from the channels of government into the pockets of racketeers and grafters.

To remove this corrupt influence and to correct this evil, without doing hurt to the elective franchise, is an unsolved problem to which the best efforts of legislators in the State Assemblies and in the National Congress should be directed. Behold the enforcement we have witnessed in the recent past, of an effort on the part of the National Government to thwart the power of the trust by substituting alphabetical codes, and in the wake of this effort we have witnessed failure. These trusts and

combines have under the express terms of the law, used the codes to establish an aristocracy of wealth, which if it remains unchecked, will usurp the elective franchise, and on the ruins of a despoiled democracy build a government wholly destitute of right and liberty, and one whose only aim shall be the enrichment of its founders and their beneficiaries, to the detriment of the masses.

To reset, regulate and readjust these ponderous industrial machines of the day, and direct their mighty power to the promotion of the general welfare, is an unsolved problem which is demanding, and shall continue to demand, your undivided attention. It is to be noted that capital and labor are still at war, each striving with unabated zeal for mastery over the other. To arbitrate, to reconcile their differences in fairness and justice to both, so that the one shall not be despoiled of its holdings, nor the other reduced to peonage, is an unsolved problem pressing more and more upon your time for proper solution.

These are but a few of the many and varied problems that confront us, and when we review and duly consider their importance, we are forced to conclude that while the troubles of the founders of our State were grave and serious, those that are left to us are weighty and momentous.

If I mistake not, we, as Texans, today should be as alert as our fathers were in meeting and overcoming the difficulties stretching out before us. We are in the very pathway of the Nation's future commerce and industrial progress. Our products already reach an annual value of several hundred millions of dollars, and this sum should be increased as time goes on. These items are composed mostly of raw materials, such as natural resources and unfinished products. If you add to this the multiplied value which will come in the future from factories, you may catch a glimpse of the marvelous possibilities of our State in the future. Our hidden treasures in the form of gas, oil and other minerals, are coming forth from their hiding places to the enrichment of our citizens, the delight of commerce, and the advancement of business. The white wings of commerce have long hovered over the bosom of our Southern Seas, and the argosies of trade

add to the commerce of our ports. The magic influence of international traffic should be kept constantly before us, and our goods should find a ready market in every trade mart of the world.

We have our history, and it is splendid and inspiring. At Goliad, in the Alamo, and at San Jacinto our forbears proved themselves worthy of enrollment among the mightiest heroes of history, and we as their sons and daughters can ill afford to be satisfied with less distinction than that which they possessed, and which was left us as a rich heritage. We should be content with nothing less than a factory in every village, that we may manufacture into cloth the cotton we produce, the fruits of our soil for food and raiment, not for ourselves alone, but for the untold millions of the earth who are already welcoming these harbingers of peace and comfort into their simple homes.

Every Texan should look forward in yearning expectation to the day when the song of the loom and the spinning wheel in our abiding places of industry shall chime in with the sweet notes of the mockingbird, and together blend in the gentle and sublime ministry of peace, happiness and prosperity. There shall be no end to the work that lies out before us. One achievement shall lead to another a little above it, and the endless stairway of progress shall reach on from generation to generation.

Science is in its infancy, learning is possessed of perpetual youth, and the miracles of invention are sleeping all around us, waiting to be touched to life by the hand of genius. The field is yet new, the world is young and unsubdued, and the great commission is yet unperformed. Edison, Tesla and Marconi have but preached in the wilderness of science, and I am persuaded to believe that one greater than they shall yet arise in the fullness of time, whose deft brain shall call to life myriads of sleeping energies within the confines of Texas to bless the hopes and brighten the pathway of those who in distant times and under other skies shall strike for freedom.

It is a singular and dissatisfying circumstance that free governments have never endured for long among the children of men. They have each and all of them, except this Republic, sooner or later disappeared before

the ambition of those entrusted with power, or through the apathy or indifference of the people who composed them.

This Union of States, with their glorious history, may in the end disintegrate, as has been the lot of great Republics in the past. We devoutly pray that it may not be so, and that it will endure forever, to bless the human race; but if, in the providence of God, dissension and utter ruin shall overtake our National Government, Texas, at least, should remain true to the traditions our fathers left us.

Let us keep fresh in the minds of our children the sacrifices and heroisms of the mighty men who founded our State, and as often as this anniversary shall recur, let us observe it with joy and thanksgiving. Let the Declaration of Independence be read in the home and in the school, and the Constitution which followed it be regarded as a chart of indispensable liberty. Then if some evil fortune shall ever dissolve the Union let Texas, one and indivisible, from the mountains to the sea, and in all her vast circumference, remain a place of refuge from tyranny to our offspring, forever and forevermore.

Bills Filed in Department of State.

Austin, Texas, April 24, 1937.

Hon. Bob Barker, Secretary of the Senate.

Dear Sir: I submit herewith a list of bills and resolutions passed by the Forty-fifth Legislature which were filed in this office Friday, April 23, 1937:

S. B. No. 106:

Vote in Senate, yeas 30, nays 0.

Vote in House, yeas 124, nays 0.

Date signed by the Governor, April 20, 1937.

S. B. No. 345:

Vote in Senate, yeas 28, nays 0.

Vote in House, yeas 117, nays 1.

Date signed by the Governor, April 23, 1937.

S. B. No. 406:

Vote in Senate, yeas 27, nays 0.

Vote in House, yeas 127, nays 0.

Date signed by the Governor, April 23, 1937.

S. B. No. 455:

Vote in Senate, yeas 28, nays 0.

Vote in House, yeas 123, nays 0.

Date signed by the Governor, April 23, 1937.

H. B. No. 125:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 121, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 369:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 107, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 395:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 130, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 404:
Vote in Senate, yeas 25, nays 0.
Vote in House, viva voce.
Date signed by the Governor,
Unsigned.

H. B. No. 477:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 135, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 666:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 120, nays 1.
Date signed by the Governor,
April 23, 1937.

H. B. No. 848:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 119, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 876:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 117, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 889:
Vote in Senate, yeas 30, nays 0.

Vote in House, yeas 122, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 930:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 133, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 990:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 112, nays 0.
Date signed by the Governor,
April 23, 1937.

H. B. No. 998:
Vote in Senate, yeas 29, nays 0.
Vote in House, yeas 113, nays 2.
Date signed by the Governor,
April 23, 1937.

H. B. No. 1006:
Vote in Senate, yeas 31, nays 0.
Vote in House, yeas 114, nays 0.
Date signed by the Governor,
April 23, 1937.

Assuring you of my sincere pleasure in performing this service, I am
Yours very truly,

EDWARD CLARK,
Secretary of State.

By: M. E. SANDLIN,
Assistant Secretary of State.

Reports of Standing Committees.

Committee Room,

Austin, Texas, April 26, 1937.

Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on
Criminal Jurisprudence, to whom
was referred

H. B. No. 940, A bill to be entitled
"An Act making theft of wool or
mohair or edible meat a felony; pre-
scribing penalties therefor, and de-
claring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass and
be not printed.

STONE, Chairman.

Committee Room,

Austin, Texas, April 26, 1937.

Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Edu-
cational Affairs, to whom was re-
ferred

S. B. No. 489, A bill to be entitled
"An Act to fix the maximum rate of
tax to be levied for school purposes
in all independent school districts
which include within their limits a
city or town which according to the
latest Federal Census had a popula-
tion of not less than 4,750 and not
more than 4,850, whether organized
under General or Special Law, re-
pealing all laws in conflict herewith,
both General and Special, and de-
claring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with

the recommendation that it do pass and be not printed.

COTTEN, Chairman.

Committee Room,
Austin, Texas, April 26, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 470, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not fewer than thirteen thousand seven hundred (13,700), and not more than thirteen thousand eight hundred (13,800) inhabitants, whether organized under General or Special Law; repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Chairman.

Committee Room,
Austin, Texas, April 23, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 774, A bill to be entitled "An Act amending certain Sections of S. B. No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to-wit: Sections 5, 8, 11, 12, 15, 16, 17 and 23; providing for the Public Safety Commission to appoint a director and an assistant director whose salaries shall be fixed by the Legislature; providing for the director with the advice and consent of the Commission to appoint chiefs of the several bureaus; providing for Texas Ranger captains, headquarters sergeant, and privates; providing that the Texas Highway Patrol Division shall consist of the Chief Patrol Officer, captains, sergeants, and privates as may be authorized by the Legislature, and such administrative and clerical help as determined by the Commission; providing for the director with the advice

and consent of the Commission, to name the Chief of the Bureau of Communications; providing for the director with the advice and consent of the Commission, to name the Chief of the Bureau of Intelligence; providing for the director with the advice and consent of the Commission to name the Chief of the Bureau of Education, and providing for the Chief of said Bureau to organize schools and give instruction; providing for State officials and departments to assist and cooperate with the Department of Public Safety; and providing for the Attorney General to designate an assistant to be assigned to the Department of Public Safety; and creating an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,
Austin, Texas, April 26, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1131, A bill to be entitled "An Act creating the Harris County Flood Control District in Harris County, Texas, and defining its powers; designating the commissioners' court as the governing body of such district and defining the powers of such court in connection therewith; providing for the filing of a petition for the issuance of bonds, notice of hearing thereon, for an election therefor, and the procedure; limiting the tax rate in support of bonds voted; providing for the issuance of bonds and the manner and form thereof and the procedure in connection with the issuance, registration, approval, and sale thereof; defining the duties of the various officials of Harris County; providing that State Laws applicable to contracts and accounting for funds shall apply to such district; making the Act cumulative of other laws; providing for the use of public property by such district; granting the right of eminent domain; providing laws relating to assessing and collecting State and county current and de-

linquent taxes shall apply to said district; providing that if any provision of this Act shall be held invalid or unconstitutional the other provisions shall not be affected; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Committee Room,

Austin, Texas, April 26, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 58 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 23, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 12 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 23, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 261 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 26, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 47 and S. C. R. No. 57 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

SIXTY-SIXTH DAY.

(Tuesday, April 27, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tempore Pace.

The roll was called and the following Senators were present:

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Aikin.

Reports of Standing Committees.

Reports on Senate Bills Nos. 179, 488, 494, 491, 495, and 490 and on House Bills Nos. 1091, 284, 24, 982, 793 and 1002 were submitted by the chairmen of the several committees to which they were referred. (See appendix for reports in full.)

Senate Bills on First Reading.

The following (local) bills were introduced, read first time and referred to the committees indicated:

By Senator Newton:

S. B. No. 492, A bill to be entitled "An Act providing that Limestone County, Texas, may fund or refund the indebtedness outstanding against its Permanent Improvement Fund as of May 1st, 1937; setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all Acts and proceedings heretofore had by the commissioners' court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; and providing that this law shall be cumulative of General Law pertaining to funding and refunding bonds not in conflict herewith; repealing all laws in conflict herewith; and declaring an emergency."

Referred to Committee on State Affairs.